

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiffs,)	
)	4:06CR3068
v.)	
)	
RODNEY LEE HEROLD,)	
)	ORDER
Defendants.)	
_____)	

IT IS ORDERED:

1. Defendant's motion to continue, filing 13, is granted and the change of plea hearing is continued to August 3, 2006 at 1:30 p.m. before the undersigned magistrate judge in Courtroom 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.

2. The time between the filing of the motion and August 3, 2006 is excluded from the calculation of time required by the Speedy Trial Act, because trial preparation includes a reasonable amount of time to consider possible settlement options. Failure to grant the continuance would unreasonably deny counsel for the defendant adequate time to reasonably prepare effectively for trial, taking into consideration due diligence. 18 U.S.C. § 3161(h)(8)(A) and (B)(iv). The ends of justice served by granting the defendant's request for additional time to meet his need for counsel who is prepared for trial therefore outweigh the best interests of the public and the defendant in a speedy trial.

3. Defendant shall appear at the hearing.

DATED this 19th day of July, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge